

Applicant CITY OF SEATTLE DEPARTMENT OF CONSTRUCTION AND LAND USE	Page	of	Supersedes
	1	2	NA
	Publication		Effective
	June 29, 1987		August 3, 1987
Subject Lot Boundary Adjustment procedure generally not available for boundaries straddled by structures	Code and Section Reference		
	Land Use Code		
	Sec. 23.28.030 SMC		
	Type of Rule		
Index Land Use	Code Interpretation		
	Ordinance Authority		
	Sec. 3.06.040 SMC		
	Approved		
/ Technical Requirements		Date 7/22/87	
/ Procedural Requirements		<i>[Signature]</i>	

SMC 23.28.030 provides, in part:

"The Director shall approve an application for a lot boundary adjustment if it is determined that:

- A. No additional lot, tract, parcel, site or division will be created by the proposed adjustment;
..."

Rule

When a structure spans a lot line created by platting, deed, or other procedure, all the lots occupied by the structure or needed by the structure to meet applicable yard or setback provisions shall be considered one site for purposes of application of all development standards. Accordingly, movement of any of the underlying lot lines to create a separate, buildable parcel will be considered beyond the scope of the lot boundary adjustment process. However, the lot boundary process may be utilized to move a line to correct an encroachment by eaves or a by structure accessory to a single family home where the encroachment represents less than twenty-five percent of the total footprint of the structure.

Reason

This rule largely restates Department practice as it has existed for many years. Under 23.28.030, no additional "lot, tract, parcel, site or division" may be created by an Lot Boundary Adjustment. When movement of a line acts to create a new building site, it violates this provision. It is important to note in this regard that an Lot Boundary Adjustment is a ministerial act which occurs without public notice while a short or long subdivision entails notice and appeal. When a platting action will result in the possibility of development in excess of that which is currently possible, it is desirable that the public have notice.

Reason: (continued)

This rule does create a limited exception for single family accessory structures. The reason for the exception is that such structures are generally small and are often built without the benefit of survey. Therefore, it is not clear that the construction should be seen as reflecting an intent to merge the additional lot into one building site.

Eaves also are exempted from the effect of this rule. This is consistent with 23.44.014 which allows eaves to extend into a side yard easement area, even if this extension crosses a property line.